

ML. 47
18.03.2026
Court. No. 12
GB

MAT 1768 of 2024
With
CAN 1 of 2024

Rita Manna & Ors.
Vs.
The West Bengal Valuation Board & Ors.

Mr. Dhananjay Banerjee,
Mr. Tanmoy Khan

...for the Appellants.

Mr. Debjit Mukherjee,
Ms. Susmita Chatterjee

...for the State.

1. The order under challenge was passed in WPA 17924 of 2007. A learned Single Judge had directed the respondent no.2, that is, the Secretary, West Bengal Valuation Board to dispose of the objection of the petitioners dated January 13, 2007, which is at page 20 of the writ petition, being Annexure-P/3.
2. The petitioners contend that the disposal of the said objection would not serve any purpose. The very authority of the respondent no.2 to publish a second valuation was under challenge in the writ court.
3. We find from the averment and the prayer in the writ petition that, the petitioners had raised factual objections with regard to the measurements taken by the competent officer of the property in question and was specially aggrieved by the fact that within a span of one year, the valuation arrived at by the West Bengal Valuation Board was further increased but no

addition and alteration to the property had taken place. This factual aspect cannot be looked into by the appeal court, as the writ court had not considered this issue.

4. Under such circumstances, we dispose of the appeal by remanding the matter to the writ court for fresh hearing.
5. Accordingly, the appeal and the connected application are disposed of.
6. This matter cannot be heard without affidavits. Concerned respondents shall file their affidavit-in-opposition to the writ petition within a period of four weeks; reply thereto, if any, be filed within two weeks thereafter.
7. Liberty to mention for urgent hearing.

(Shampa Sarkar, J.)

(Ajay Kumar Gupta, J.)